

## **HALL & ASSOCIATES**

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January 29, 2015

### **Via FOIA Online**

Freedom of Information Officer  
U.S. EPA Region 5 (MI-9J)  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

### **Re: Freedom of Information Act Request for Records Concerning the Minnesota Pollution Control Agency's Recently Adopted Stream Nutrient Criteria**

To Whom This May Concern:

This is a request for a public records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. Section 552, as implemented by the Environmental Protection Agency ("EPA") at 40 C.F.R. Part 2. For purposes of this request, the definition of "records" includes, but is not limited to, documents, letters, memoranda, notes, minutes, handouts, reports, e-mail messages (including e-mails to and from personal e-mail accounts), policy statements, data, technical evaluations or analysis, and studies.

### **Background**

Recently, the Minnesota Pollution Control Agency ("MPCA") adopted stream nutrient criteria, using the five-day biochemical oxygen demand ("BOD5") test as a response criterion. MPCA forwarded that action to EPA for review and approval.

### **Request**

EPA recently approved the MPCA's proposed stream nutrient criteria. This request seeks all records in EPA's possession regarding that approval action, including but not limited to any subsequent communications between MPCA and EPA regarding the need to (1) accelerate any approval action or (2) address any issues of concern raised in the various MPCA public forums regarding the criteria, and thereafter. Requested also

are any documents that EPA relied upon in approving the stream nutrient criteria, which were not part of MPCA's administrative record used to justify adoption of the criteria.

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Please contact the undersigned if the associated search and duplication costs are anticipated to exceed \$250.00. Please duplicate the records that are responsive to this request and send it to the undersigned at the above address. If the requested record is withheld based upon any asserted privilege, please identify the basis for the non-disclosure.

If you have any questions regarding this request, please do not hesitate to contact this office so as to ensure that only the necessary document is duplicated.

Respectfully,



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